

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF RHODE ISLAND**

**In Re: Gerald R. Galleshaw  
Debtor**

<b>DAVID C. FRAIOLI and NEW</b>	:	
<b>ENGLAND AUTO CENTER, INC.</b>	:	
<b>Plaintiffs</b>	:	<b>C.A. NO. 15-11047</b>
	:	
<b>V.</b>	:	<b>Chapter 7</b>
	:	
<b>GERALD R. GALLESHAW</b>	:	<b>ADV. PRO. NO.: 15-01023</b>
<b>Defendant Debtor</b>	:	

**DEBTOR'S MOTION TO STRIKE ANSWER  
MADE TO DOCUMENT THAT WAS TERMINATED**

Debtor respectfully requests that the Court strike his answer to amended complaint that was filed on 12/31/15. As grounds set forth the Debtor asserts that: 1) the amended complaint (Doc. # 24) was not filed at the time the answer (Doc # 22) was erroneously filed; 2) that the motion to amend the complaint (Doc# 18) filed on 12/17/15 was terminated as moot because the Court Ordered (Doc# 14) that Plaintiffs have until 12/31/15 to file an amended complaint; 3) the amended compliant was filed on 1/5/16 (Doc# 24) giving the Debtor 14 days to respond in accordance with Fed. R. Civ. P. 15(a)(3); and 4) Debtor will file a Motion to Dismiss as his response to the amended complaint simultaneously with this motion.

Respectfully submitted,  
Debtor, Gerald Galleshaw,  
By his attorney

Todd S. Dion, Esq.  
Todd S. Dion Esq. (6852)  
1599 Smith Street

North Providence, RI 02911  
(401) 965-4131  
[toddsdion@msn.com](mailto:toddsdion@msn.com)

**CERTIFICATE OF SERVICE**

I, Todd S. Dion, Esq., hereby certify that on January 18, 2016 I served first class pre-paid postage a copy of the motion herein to Ryanna T. Capalbo, Esq., Bilodeau Carden, LLC, 51 Jefferson Boulevard, Suite 2, Warwick, RI 02888

Respectfully submitted,

Todd S. Dion, Esq.  
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North Providence, RI 02911